

Versus

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Mr. M.S. Mhambray, A.P.P. for State.

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**DATED: 9TH AUGUST, 2005**

**P. C. :-**

1. Heard the learned advocate for the applicant and the learned advocate for the respondent No.1 i.e. original complainant and perused the affidavit filed by the complainant which is taken on record and marked as Exh.'X' for identification.
2. The applicant is seeking quashing of the complaint i.e. case No. 127/S/1999 which is pending before the learned Metropolitan Magistrate, 43rd Court, Borivli, Mumbai. The said case is under Section 500 of I.P.C.

3. In the present case the complainant has filed an affidavit stating that the matter has been settled between the parties and that he wishes to withdraw his complaint. The learned advocate for the complainant has stated that the complainant does not wish to proceed with his complaint.

4. Looking to all these facts I am of the opinion that no purpose would be achieved by continuing with the prosecution in the said case. Hence, the case No. 127/S/1999 and proceedings relating thereto are quashed.

5. Application is disposed of.

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